

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BABYAGE.COM, INC. et al.,	)	
	)	
Plaintiff-Counterclaim Defendants/,	)	
Third Party Defendants,	)	No. 3:07-cv-01600-ARC
	)	
v.	)	(Judge A. Richard Caputo)
	)	
LEACHCO, INC. et al.,	)	(electronically filed)
	)	
Defendant-Counterclaim Plaintiffs/	)	
Third Party Plaintiffs.	)	

**MOTION OF LEACHCO, INC. AND JAMIE S, LEACH  
FOR LEAVE TO FILE SECOND AMENDED ANSWER**

Pursuant to Rule 15(a)(2), Federal Rules of Civil Procedure, Leachco, Inc. AND Jamie S. Leach move for leave to file a Second Amended Answer. The proposed Second Amended Answer asserts an additional counterclaim for false patent marking against the Plaintiff Babyage.com, Inc. The proposed amended pleading is attached as Exhibit A. A marked up version of the proposed amended pleading, highlighting the changes from the prior version, is attached as Exhibit B. A proposed Order is attached as Exhibit C.

The grounds for this Motion are explained in the accompanying Brief.

Mr. Katsock, counsel for Babyage.com, Inc. and John M. Kiefer, Jr., advises that he opposes this Motion.

Respectfully submitted,

s/ Gary Peterson

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Plaintiffs

# CERTIFICATE OF SERVICE

I certify that I electronically transmitted this document to the Clerk using the ECF System so as to cause transmittal of a Notice of a Electronic Filing to the following ECF registrant:

Andrew J. Katsock, III

Attorney for Defendant, on August 15, 2008.

s/ Gary Peterson